

County of Santa Clara

Department of Environmental Health

Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716

Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0310515 - PHO GA TAN DINH		Site Address 929 STORY RD 2066, SAN JOSE, CA 95122		Inspection Date 03/24/2026		Placard Color & Score GREEN 72		
Program PR0454915 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name PHO GA TAN DINH LLC		Inspection Time 10:15 - 12:00			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By THANH				FSC Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				N
K02	Communicable disease; reporting/restriction/exclusion	X						
K03	No discharge from eyes, nose, mouth	X						S
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly			X	X			N
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures	X						
K08	Time as a public health control; procedures & records	X						S
K09	Proper cooling methods		X		X			
K10	Proper cooking time & temperatures					X		
K11	Proper reheating procedures for hot holding	X						
K12	Returned and reservice of food	X						
K13	Food in good condition, safe, unadulterated	X						
K14	Food contact surfaces clean, sanitized	X						
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display			X				N
K17	Compliance with Gulf Oyster Regulations					X		
K18	Compliance with variance/ROP/HACCP Plan						X	
K19	Consumer advisory for raw or undercooked foods			X				
K20	Licensed health care facilities/schools: prohibited foods not being offered						X	
K21	Hot and cold water available			X				
K22	Sewage and wastewater properly disposed			X				
K23	No rodents, insects, birds, or animals	X						

GOOD RETAIL PRACTICES		OUT	COS
K24	Person in charge present and performing duties		
K25	Proper personal cleanliness and hair restraints		
K26	Approved thawing methods used; frozen food		
K27	Food separated and protected	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified		
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		
K33	Nonfood contact surfaces clean		
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices		
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned		
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		
K45	Floor, walls, ceilings: built, maintained, clean		
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available		

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K48	Plan review		
K49	Permits available		
K58	Placard properly displayed/posted		

Comments and Observations

Major Violations

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *One container of pork soup maintained inside the three-door reach-in refrigerator measured at 77F. Manager stated that the soup was prepared the night before and allowed to cool overnight in ambient temperature before it was relocated into the refrigeration unit in the morning, approximately 2 hours prior.*

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours.

Approved cooling methods include:

- 1) *Placing the food in shallow pans.*
- 2) *Separating the food into thinner or smaller portions.*
- 3) *Using rapid cooling equipment (Ex. blast chiller).*
- 4) *Using containers that facilitate heat transfer (ex. stainless steel).*
- 5) *Adding ice as an ingredient.*
- 6) *Using ice paddles.*
- 7) *Using an ice bath and stirring frequently.*
- 8) *Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.*

[COS] Container of pork soup (approximately 3-4 gallons) was VC&D due to improper cooling.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: *Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.*

Employees' three-year food handler cards unavailable for review.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

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Inspector Observations: Observed employee starting shift don on gloves prior to washing hands and entering into the kitchen. This Division intervened and instructed employee to remove gloves and wash hands. No contamination of food or food contact surface was observed.

[CA] Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- (3) Immediately after using the toilet room and again when returning into the kitchen.
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (6) After handling soiled equipment or utensils.
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
- (8) When switching between working with raw food and working with ready-to-eat foods.
- (9) Before initially donning gloves for working with food.
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.
- (11) After engaging in other activities that contaminate the hands.

Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: Live oysters, razor clams, and scallops lack shellstock tags. Manager did not know requirements for maintaining tags, however, invoice for items was provided.

[CA] The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: Menu lacks consumer advisory and disclosure statement for raw and/or undercooked items - rare beef.

[CA] Consumer advisory shall be provided on menus, brochures, deli case, label statements, table tents, placards, or other effective written means with a disclosure and reminder.

(1) **Disclosure:** clearly written statement that includes either a description of the animal-derived foods, such as "oysters on the half shell (raw oysters), or identification of animal derived foods marked by an asterisk (*) directing to a footnote that items are served raw or undercooked, or contain raw or undercooked ingredients

(2) **Reminder:** clearly written statement that identifies animal-derived foods by asterik that marks a food note includes one of the following: "Written information regarding the safety of these food items is available upon request " or "Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase the risk of foodborne illness, especially if you have certain medical conditions.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hand wash sink in the men's restroom lacked warm water. Water measured at 73F.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

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Inspector Observations: *Minor leak observed below the right basin by the ware wash sink at the waste drain.*

[CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system. Investigate cause and repair in an approved manner.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: *Basket of onions and case of lemons maintained directly on the floor in the kitchen.*

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Compliance with shell stock tags, condition, display.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
Live oysters	Three-door upright refrigerator	36.00 Fahrenheit	
Cooked pork belly	Three-door food preparation refrigerator	41.00 Fahrenheit	
Cooked beef tendon	Three-door food preparation refrigerator	41.00 Fahrenheit	
Beef soup	Cook line	184.00 Fahrenheit	
Cooked macaroni noodles	Three-door reach-in refrigerator	41.00 Fahrenheit	
Beef meatball	Three-door food preparation refrigerator	41.00 Fahrenheit	
Raw chicken	Three-door reach-in refrigerator	40.00 Fahrenheit	
Fried tofu	Three-door reach-in refrigerator	40.00 Fahrenheit	
Cooked rice	Rice cooker	174.00 Fahrenheit	
Cooked chicken - whole	Three-door reach-in refrigerator	40.00 Fahrenheit	
Raw beef	Three-door upright refrigerator	35.00 Fahrenheit	
Warm water	Hand wash sinks - kitchen	101.00 Fahrenheit	
Cooked chicken gizzard	Three-door reach-in refrigerator	40.00 Fahrenheit	
Marinated pork chop	Three-door reach-in refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	124.00 Fahrenheit	
Cooked steamed egg	Three-door reach-in refrigerator	41.00 Fahrenheit	
Chicken soup	Cook line	177.00 Fahrenheit	
Fancy pork roll with sticky rice	Three-door reach-in refrigerator	40.00 Fahrenheit	
Milk	Three-door reach-in refrigerator	41.00 Fahrenheit	Beverage preparation area
Sliced beef brisket	Three-door food preparation refrigerator	41.00 Fahrenheit	
Cooked shrimp	Three-door food preparation refrigerator	41.00 Fahrenheit	
Cooked sea snails	Three-door reach-in refrigerator	40.00 Fahrenheit	
Spicy beef soup	Three-door reach-in refrigerator	41.00 Fahrenheit	
Broken rice	Rice cooker	193.00 Fahrenheit	
Cooked chicken liver	Three-door reach-in refrigerator	40.00 Fahrenheit	
Ambient	Three-door upright freezers	7.00 Fahrenheit	

Overall Comments:

- **Time as a public health control (TPHC) written procedures reviewed and provided to manager.**

- **Complete written procedure form and submit to district inspector for review and approval.**

When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **4/7/2026**. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

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Legend:

[CA]	Corrective Action
[COS]	Corrected on Site
[N]	Needs Improvement
[NA]	Not Applicable
[NO]	Not Observed
[PBI]	Performance-based Inspection
[PHF]	Potentially Hazardous Food
[PIC]	Person in Charge
[PPM]	Part per Million
[S]	Satisfactory
[SA]	Suitable Alternative
[TPHC]	Time as a Public Health Control



Received By: Thanh
Manager
Signed On: March 24, 2026